

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

TOLL BROS. INC.,

Plaintiff,

v.

RONALD A. SCHECKTER,

Defendant.

07 Civ. 4074 (SCR)

ORDER TO SHOW CAUSE

Plaintiff filed this action on May 24, 2007. A review of the docket does not indicate that the complaint has been served.

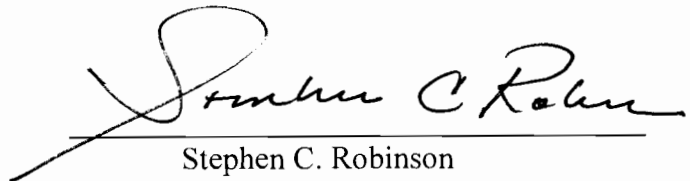
Under Federal Rule of Civil Procedure 4(m), "[i]f service of the summons and complaint is not made upon a defendant within 120 days after the filing of the complaint, the court, upon motion or on its own initiative after notice to the plaintiff, shall dismiss the action without prejudice as to that defendant or direct that service be effected within a specified time..." Here, the time for service of the complaint has passed. In addition, the parties failed to appear before the Court for an initial conference scheduled for September 14, 2007. Accordingly, it is hereby

ORDERED, that the Plaintiffs show cause to this Court by letter or written submission to be received no later than 30 days from the date of this order why the complaint should not be dismissed. Plaintiffs are hereby advised that if the Court does not receive the aforementioned letter or written submission within said time, the complaint may be dismissed.

It is so ordered.

White Plains, New York

Dated: October 19, 2007



Stephen C. Robinson
United States District Judge

